IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.673 OF 2005

Prakash Annappa Shervi ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr. Niranjan Mundargi, for the Applicant.

Mr. V.B.Konde Deshmukh, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

15th February 2005

P.C.:

. In view of order dated 10th February 2005, the Applicant was required to appear before the Court for hearing of the application. Matter was called out in the morning session when, according to Mr. Mundargi for the Applicant, the Applicant was present, whereas, the learned A.P.P., on instructions of the concerned officer,

who was present to give instructions to the A.P.P., informed the Court that the Applicant was not present in the Court Room when the matter was called out. In that view of the matter, hearing of the application was deferred till 2.45 p.m. When the matter was called out at 2.45 p.m., the Applicant was not present. Mr. Mundargi, however, stated that he was somewhere in the Court premises and requested the Court to keep back the matter to ensure that the Applicant will remain present at the time of hearing of the application. The matter is once again taken up as last item before rising at 4.45 p.m.. The Applicant is, however, not present in the Court. The Officer has come all the way from Kolhapur. As the Applicant has not complied with the direction given on 10th February 2005, I see no reason to show any indulgence to the Applicant. Hence, rejected.

(A.M.KHANWILKAR,J.)